

RETURN

To an Address to His Excellency the Governor General, 19th March, 1924, for a copy of all correspondence, papers, applications, agreements, letters and other documents exchanged between the Government of Ontario and the Hydro-Electric Commission of Ontario and the Government of Canada, relating to the construction of a power dam on the St. Lawrence River near the town of Morrisburg for the generation of electric power for the use of the people of the Eastern part of the province of Ontario.

A. B. COPP.

Secretary of State.

Mover: Mr. CHURCH.

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE DEPUTY MINISTER

OTTAWA, March 27, 1924.

SIR,—I beg to transmit herewith Return called for by Order of the House of Commons, for a copy of all correspondence between Ontario Government or Hydro Electric Commission and Dominion Government, *re* Construction Power Dam on St. Lawrence River near Morrisburg, etc., together with your Reference No. 10.

I have the honour to be, sir,

Your obedient servant,

J. B. HUNTER,

Deputy Minister.

The Under Secretary of State,
Ottawa.

Encl.

HYDRO-ELECTRIC POWER COMMISSION

TORONTO, January 24, 1924.

To the Secretary,
Department of Public Works,
Ottawa, Ontario.

Re: *Application of Hydro-Electric Power Commission of Ontario for Morrisburg Development.*

DEAR SIR,—In pursuance of authority of the Government of Ontario, the Hydro-Electric Power Commission of Ontario makes application for the approval of plans and site for dam and power development works proposed to be built on the St. Lawrence River at, or near Morrisburg.

Accompanying this application are the following plans and documents, which I beg to enclose herewith:—

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1. Five copies of a description of the general engineering features of the proposition of the Hydro-Electric Power Commission of Ontario to develop the St. Lawrence River in the vicinity of Morrisburg, dated January 10th, 1924.

2. Five copies of Plan No. 160-E-105, entitled "Project for the Power Development of the St. Lawrence River" dated January 8th, 1924, being a general plan of the site, regulating dam, the power works, and the lock for navigation within the above structures at or near Morrisburg.

3. Five copies of plan No. 160-M-106 entitled "St. Lawrence River project for power development channel improvements" showing excavation plans at Leishman Point and Ogden Island.

4. Five copies of plan No. 160-E-107 entitled "St. Lawrence River project for power development channel improvements" showing excavation in vicinity of Galops Island head of South Galops Rapids.

5. Five copies of plan No. 160-D-103, entitled "Power House at Morrisburg, St. Lawrence River, scheme "B" being a general cross section of the power house, and section of the dam, in which it is located.

6. Five copies of a general map of the St. Lawrence River from Brockville to Montreal, with approximate proposed location of the works indicated thereon.

The above referred to plans, together with descriptive matter are general, but I trust will answer the requirements of your Department for the present. It is expected that further detailed plans will be provided at a later date, as are found necessary and required by your Department.

The Commission suggests that a conference between the Engineers of your Department and the Commission might be desirable, with a view to settling objections, if any, that your Engineers may have to the proposed works.

The Commission desires to proceed with the work at the earliest possible date, and would be glad to have this application receive your early consideration.

Yours truly,

(Sgd.) W. W. POPE,

Secretary.

DESCRIPTION of General Engineering Features of the Proposal of the Hydro-Electric Power Commission of Ontario to Develop the St. Lawrence River in the vicinity of Morrisburg, Ontario.—January 23, 1924.

The works proposed to be constructed on the St. Lawrence River, opposite the village of Morrisburg, Ontario, provide for navigation and for the development of power. The works comprise of excavated channels, navigation lock, dams and sluiceways, embankments and power house.

The site near the village of Morrisburg, Ontario, has been selected on account of its many advantages, some of which are: accessibility for purposes of construction, a location for the power house that in large measure is free from construction hazards, the procuring of foundation material for all the major structures, and such contours of the lands upstream as will greatly reduce the damage and inconvenience that would result to residents as contrasted with developments at other feasible sites.

The general arrangement of the proposed works may be understood by reference to the accompanying drawings, upon which the various structures and works are shown in their respective general situations.

Sufficient spillway and sluiceway capacity will be provided to take care of the total maximum flow of the St. Lawrence river without any allowance for

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flow through the turbines in the power houses. At the main dam there will be provided 600 feet of free spillway with crest at or about elevation 241; sluiceways aggregating a clear 800 feet in length with a depth of 21 feet, controlled by stoney sluices; a clear length of sluiceways aggregating 320 feet with a depth of 21 feet of submerged sluices with suitable gates. Further, it is proposed to divide the river, as far down as the foot of Murphy Island, into two channels by an embankment connecting this island to the power house. The south channel will be connected to the forebay of the power plant by a channel 600 feet wide, cut through Murphy Point. Also a dam, provided with 350 lineal feet of submerged sluices, and 250 lineal feet of ice sluices will be placed across the upper end of this channel.

The channel south of Ogden Island, known as Little River, with the channels east and west of Clark Island will form the forebay of the proposed development. There will be three inlets to this basin, of which the present mouth of Little River will form one. This channel will be improved by cutting off part of Leishman's Point, by deepening the channel of Little River, and by removing the present dam near Waddington. A cut 300 feet wide will also be made across the low part of Ogden Island west of Waddington with a bottom grade at Elevation 213. In addition to this channel, there will be another channel across the Island just above the main dam. Inasmuch as the new water level created by the proposed structure will create sufficient depth of water across this channel, no excavation is contemplated here as the existing contours provide all the carrying capacity that is required at this place.

Provision is made for sufficient excavation in the channels on either side of Galops Island to permit the proposed pool levels to be maintained without causing Lake Ontario to rise as high as its natural flood level. This part of the proposed work is shown on drawing 160-E-107.

Power House—The Canadian power house occupies the channel between the lower end of Ogden Island and Clark Island. Provision is made for an American power house between the east side of Clark Island and Murphy Point. The Canadian power house will contain some 34 units, each capable of developing 10,800 H.P. under a head of 27 feet. A cross section of the power house through one of the units is shown in drawing 160-B-103. The general location of the power house, dam and other structures and work are shown on drawings Nos. 160-E-105, 160-D-106, and 160-E-107.

Question of Damages for Flooding—The important feature of damage to property by flooding or by other means has not been overlooked. On account of the uncertainties appertaining to this phase of the project. It has not been considered necessary at this stage to do more than here give the assurance that this matter will be disposed of in such a manner as to do full justice to all interests concerned.

Navigation Structures—At the north end of the dam a lock with 30 feet of water on the sill at low water will permit shipping to pass between the pool above the dam to the part of the present Morrisburg canal below Mariatown. This lock is provided with ample entrance piers, four pairs of service gates, a pair of unwatering gates, and an emergency gate. Sluices in the dam adjacent to the lock supply water to the lower reach of the canal, and for the power plants at present drawing their water supply from the canal at Morrisburg. Provision is made also for adequate sluices to discharge surplus water from this reach to the river below the dam. A swing bridge over the lock will provide access by a railway spur to the power house.

Shipping, after passing into the portion of the Morrisburg canal below the dam, would continue as at present through the present lock 23 and thence return to the river and vice versa.

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When, in the future, it is desired to provide for navigation with a draft of 25 or 30 feet, then the channels above and below the 30-foot lock would be excavated to provide the necessary depth and the necessary additions to the entrance piers built. Shipping would then pass from the pool above the dam to the river below the dam or vice-versa.

OTTAWA, January 25, 1924.

SIR,—I beg leave to acknowledge the receipt of your letter of January 24th instant, enclosing the following plans in connection with the application of the Commission for approval of a dam and power development works proposed to be built on the St. Lawrence River at or near Morrisburg:—

1. Five copies of the description of the general engineering features dated January 10, 1924.

2. Five copies of plan No. 160-E-105 project for the power development of the St. Lawrence River, dated January 8, 1924.

3. Five copies of plan No. 160-D-106 showing excavation plans at Leishman Point and Ogden Island.

4. Five copies of plan No. 160-E-107 showing excavation in the vicinity of Galops Island, head of South Galops Rapids.

5. Five copies of plan No. 160-D-103 being a general cross-section of the power house and section of the dam.

6. Five copies of a general map of the St. Lawrence River from Brockville to Montreal.

None of the plans mentioned are certified by the Registrar. I note further detailed plans will be provided later on if they are found necessary by this Department.

Would you please send me a set of tracings of the plans filed, and have them certified by the Registrar.

Your suggestion that a conference between the Engineers of this Department and the Commission might be desirable has also been noted.

The plans are being referred to the Chief Engineer for report.

I enclose a copy of our memorandum explaining the requirements of the Navigable Waters Protection Act which governs works of this nature.

W. W. POPE, Esq.,

Secretary, Hydro-Electric Power Commission of Ontario,
Toronto, Ont.

Yours obediently,

(Sgd.) L. H. COLMAN,
Secretary.

DEPARTMENT OF PUBLIC WORKS, CANADA

MEMORANDUM in reference to applications for the approval by the Governor-General-in-Council under the provisions of chapter 115, revised statutes of Canada, 1906, and amending acts, of the sites and plans of works in navigable waters.

Paragraph (a) of Section 2 of the Navigable Waters Protection Act as re-enacted by Chapter 33, 1918, defines "work" as follows:—

(a) "Work includes any bridge, boom, dam, aboiteau, wharf, dock, pier or other structure, tunnel or pipe, or telegraph or power cable or wire and the

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approaches or other works necessary or appurtenant thereto, or any work, structure, or device, whether similar in character to the foregoing or not, which may interfere with navigation."

Under the Statutes and practice of the Department the procedure is as follows:—

1. To deposit a written description of the site, if possible by metes and bounds, and also a plan or plans of the proposed work, with the Minister of Public Works, accompanied by an application for their approval by the Governor-General-in-Council. The plan or plans must be sufficient to indicate clearly the nature and extent of the work, and also the site of the same. Five copies of the description and five copies of the plan, or set of plans if there are more than one plan, are required. One of the plans, or one set of the plans if there are more than one, must be traced on linen, the others may be blue or white prints. The descriptions must be typed on heavy paper. If these documents are sent by mail, they should be addressed to "The Secretary, Department of Public Works, Ottawa."

2. A duplicate of the above-mentioned description of the site and of the plan or plans of the proposed work must be deposited with the Registrar of Deeds for the District, County or Province in which the work is to be constructed. Evidence that the description of the site and the plans have been so deposited, and of the date of their deposit, must be furnished to the Department, and the most satisfactory evidence is a certificate of the Registrar endorsed upon one of the descriptions of the site, and upon one of the plans or on each of the plans forming a set of plans, if there are more than one plan, forwarded to the Secretary of the Department. It is essential that it be clearly established that the description and plan or plans deposited with the Registrar are duplicates of those filed with the Minister. The plan or plans so certified must be the tracings referred to in Clause 1 thereof.

3. One month's notice in the form set out at the conclusion hereof, of the deposit of the description of the site and of the plan or plans with the Minister of Public Works and with the Registrar of Deeds must be given by advertisement in the "Canada Gazette" and in two newspapers published in or near the locality where the work is to be constructed.

Evidence of the publication of the advertisement in the "Canada Gazette" and in the two local newspapers must be furnished to the Department, and may be by Statutory Declaration, with copies of the advertisement in the "Canada Gazette" and in each newspaper attached as exhibits. The declaration must state that the two newspapers containing the advertisement are published in or near the locality where the work is to be constructed, and must mention the dates of the issues of the newspapers that contained the advertisement. Four insertions of the advertisement at weekly intervals will be accepted as satisfactory compliances with the provisions of the Statute in this regard.

The Applicants must furnish proof that they own or have a sufficient interest in the land and land covered with water upon which the works are to be constructed. It is not sufficient to hold the riparian interests alone if the work extends beyond the limits of the shore, but a sufficient portion of the harbour, river or lake bed must also be held by the Applicants. The Statutes has reference to the erections of structures on lands owned by the Applicants or which they have the right to use and is designed to provide for due protection to navigation. It cannot be used as a means of acquiring title to lands upon which the structure is to be erected.

Applicants will note that when it is necessary in connection with the proposed work for them to acquire land (including land covered with water) belonging to the Dominion of Canada a separate application for such land must be made:—

(a) To the Department of Marine if the land is situated in a public harbour.

(b) To the Department of the Interior if the land is not a public harbour and is in Manitoba, Saskatchewan, Alberta, the Railway Belt of British Columbia, the Northwest Territory or the Yukon Territory or if it is Ordnance Land in the Provinces of Ontario, Quebec, Nova Scotia and New Brunswick.

(c) To the Department of Indian Affairs if the land belongs to an Indian reserve.

(d) To the Department of Railways and Canals if the land is part of a canal reserve.

(e) To the Department of Militia and Defence if the land is part of a Military reserve.

(f) In other cases the application for the Dominion Land required may be sent with the application for the approval of the work, and the description of the site thereof, to the Department of Public Works.

All applications for Dominion Lands must be accompanied by a plan and description of the land by metes and bounds in quintuplicate. One of the plans must be a tracing, the others may be blue or white prints.

5. By Section 4 (2) of the Act, as re-enacted by Chapter 33, 8-9 George V, 1918, certain small works costing not more than one thousand dollars, which do not interfere with navigation are excepted from the operation of the Act and may be, on application approved by the Department without advertising or filing of plans and description of the site in the Registry Office, as otherwise required. It is to be noted, however, that if the work costs more than one thousand dollars, or if it in the slightest degree interferes with navigation or encroaches upon navigable waters, even though it may really be otherwise of the utmost value to navigation, it will not be within the exception. The works covered by this exception are the following:—

Small wharfs or groynes or other bank or beach protection works, or boat-houses.

6. It is to be noted that it will be too late to apply for approval of the plans and site after the work is built, and works must not be commenced before the plans have been duly approved. The Statute gives no power to approve of works already constructed or in process of construction, except in the case of works constructed or in process of construction on the first day of June, 1918.

The procedure to secure approval of the plans and sites of works constructed or in process of construction on June 1, 1918, is the same as already described for works proposed to be constructed, except that legal evidence must be supplied that the works were constructed or in process of construction on that date; this evidence may be by Statutory Declaration.

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Department of Public Works, Canada,
Ottawa, September 17, 1919.

Model Advertisement

NAVIGABLE WATERS PROTECTION ACT

R.S.C. Chapter 115

(give full name of applicant) hereby gives notice that.....has, under Section 7 of the said Act, deposited with the Minister of Public Works at Ottawa, and in the office of the District Registrar of the Land Registry District of.....at..... a description of the site and the plans of (insert name of work, wharf, breakwater, laying of cable, etc., as the case may be) proposed to be (built, laid, under etc., as the case may be) in the (name of river or other body of water) at..... in front of Lot number..... (or at the foot of such a street, etc.,)

And take notice that after the expiration of one month from the date of the first publication of this notice (insert name of applicant) will under section 7 of the said Act, apply to the Minister of Public Works at his office in the City of Ottawa, for approval of the said site and plans, and for leave to construct the said (wharf, breakwater, etc., as the case may be).

Dated at..... this..... day of..... 1921.
(Signature)

HYDRO-ELECTRIC POWER COMMISSION

TORONTO, January 28, 1924.

Mr. L. H. COLMAN,
Secretary Department of Public Works,
Ottawa, Ont.

DEAR SIR,—I beg to acknowledge receipt of yours of the 25th inst., with enclosures, as stated, in connection with the application of the Commission for approval of dam and power development works proposed to be erected on the St. Lawrence River, at or near Morrisburg.

Yours truly,
(Sgd.) W. W. POPE.
Secretary.

OTTAWA, February 22, 1924.

GENTLEMEN,—Referring to my letter of January 25, further examination of the plans filed by you with your application for the construction of a dam and power development works on the St. Lawrence River at or near Morrisburg, shows that the power houses proposed are to be located wholly in the United States, and that only a part of the dam and the canal are to situate in Canada. The project is consequently one which must be dealt with internationally, not departmentally.

Moreover, since you were represented before the International Joint Commission on the hearings preceding their report upon the development of power and navigation on this section of the St. Lawrence, you are no doubt aware that the Commission recommended a project differing in essentials from that.

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now submitted by you, and that in accordance with the Commission's recommendation action has recently been taken looking to the reconstitution, with additional members, of the International Board of Engineers, upon whose report that of the Commission was based.

If, in the circumstances, you consider that any further steps can usefully be taken at present upon your application, the Department will be glad to receive your suggestions.

Your obedient servant,

(Sgd.) L. H. COLMAN,
Secretary.

The Hydro-Electric Power Commission of Ontario,
190 University Avenue, Toronto, Ont.

HYDRO-ELECTRIC POWER COMMISSION

TORONTO, February 25, 1924.

Mr. L. H. COLMAN,
Secretary Department of Public Works,
Ottawa, Ontario.

DEAR SIR,—Yours of the 22nd inst. with reference to the construction of dam and power development on the St. Lawrence River, near Morrisburg, came duly to hand and will be brought to the attention of the Board at an early date, when you may expect to be communicated with further.

Yours truly,

(Sgd.) W. W. POPE,
Secretary.